

DECLARATION OF EMERGENCY

Office of the Governor Division of Administration Racing Commission

Minimum Standards for Facilities
(LAC 35:XV.Chapter 123)

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 14:290 (May 1988), amended by the Office of the Governor, Division of Administration, Racing Commission LR 48:

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Executive Director

2211#010

In accordance with the emergency provisions of the Administrative Procedures Act, R.S. 49:953.1, the Racing Commission has amended LAC 35:III.Chapter 123. This action has been deemed necessary by the Racing Commission to prevent imminent peril to the public health, safety, and welfare by establishing the administrative rules for minimum standards of facilities and infrastructure investments for racetracks in fulfillment of the Legislature's mandate to the Racing Commission "to encourage forceful and honest statewide control of horse racing for the public health, safety, and welfare by safeguarding the people of this state against corrupt, incompetent, dishonest and unprincipled horse racing practices" and "[t]o institute and maintain a program to encourage and permit development of the business of horse racing with pari-mutual wagering thereon on a higher plane." R.S. 4:141(A) and (A)(1).

All in fulfillment of the Legislature's mandate for the Racing Commission to "institute and maintain a regulatory program for the business of racing horses, which program assures the protection of public health, safety and welfare, vesting with the commission forceful statewide control of horse racing with full powers to prescribe rules and regulations and conditions under which all horse racing is conducted with wagering upon the result thereof with the state." R.S. 4:141(A)(3).

This emergency adoption establishes the initial administrative Rule for minimum standards of facilities and infrastructure investments for racetracks in accordance with the provisions established in Act 530 of the 2022 Regular Session of the Louisiana Legislature. This Emergency Rule shall become effective November 1, 2022 and shall remain in effect for a period of 180 days from adoption, or until finally adopted as Rule.

Title 35

HORSE RACING

Part XV. Off-Track Wagering

Chapter 123. General Rules

§12342. Amenities for Guests

A. All off-track wagering facilities must follow the requirements set forth in LAC 35:III.5789.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§12345. Concession Services

A. The concession and catering operations shall be conducted so that all persons attending off-track wagering facilities shall be satisfactorily served. Food, beverages (both alcoholic and nonalcoholic), tobacco and other generally related items may be available for sale to the patrons of the various facilities during open hours of operation. Concessionaires serving liquid refreshments shall not permit the surrender of glass containers to patrons except in designated areas.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141 and R.S. 4:211-227.